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[12706/13]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Hiroya Fukuyama et al.  
Serial No. : 10/828,473  
Filed : April 21, 2004  
For : MICROSCOPIC OBSERVING APPARATUS AND PROBE  
MICROSCOPE  
Art Unit : 2872  
Examiner : Lee A. Fineman  
Confirmation No. : 5144

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Date: January 2, 2008

Signature:

Richard M. Rosati (R. No. 31,792)

**RULE 116 AMENDMENT AFTER FINAL ACTION**

SIR:

This Amendment is submitted in response to the Final Office Action mailed on October 12, 2007. Please reconsider the above-identified application based on the following:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.